



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2024 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN DRAKE KATZ,

Defendant.

CR No. **2:25-CR-00085-MRA**

I N D I C T M E N T

[18 U.S.C. §§ 2252A(a) (5) (B),
(b) (2): Access with Intent to View
Child Pornography; 18 U.S.C.
§ 2253: Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2252A(a) (5) (B), (b) (2)]

On or about June 2, 2024, in Ventura County, within the Central District of California, and elsewhere, defendant BENJAMIN DRAKE KATZ accessed a cellular phone with IMEI Numbers 354629610294926 and 353612720294920 with intent to view at least one image of child pornography, as defined in Title 18, United States Code, Section 2256(8) (A), at least one of which involved a prepubescent minor who had not attained 12 years of age, that had been mailed and shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign

1 commerce by any means, including the Internet, knowing that the
2 images were child pornography.

COUNT TWO

[18 U.S.C. §§ 2252A(a)(5)(B), (b)(2)]

On or about June 15, 2024, in Ventura County, within the Central District of California, and elsewhere, defendant BENJAMIN DRAKE KATZ accessed a cellular phone with IMEI Numbers 356566690770425 and 353677430770428 with intent to view at least one image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), at least one of which involved a prepubescent minor who had not attained 12 years of age, that had been mailed and shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including the Internet, knowing that the images were child pornography.

FORFEITURE ALLEGATION

[18 U.S.C. § 2253]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 2253, in the event of the defendant's conviction of the offense set forth in any of Counts One through Two of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following property:

(a) All right, title, and interest in any visual depiction involved in any such offense, or any book, magazine, periodical, film videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received and involved in any such offense;

(b) All right, title, and interest in any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from any such offense;

(c) All right, title, and interest in any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property; and

(d) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraphs (a), (b), and (c).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), the defendant, if so convicted, shall forfeit substitute property, up to

1 the total value of the property described in the preceding paragraph
2 if, as the result of any act or omission of the defendant, the
3 property described in the preceding paragraph, or any portion
4 thereof: (a) cannot be located upon the exercise of due diligence;
5 (b) has been transferred, sold to or deposited with a third party;
6 (c) has been placed beyond the jurisdiction of the court; (d) has
7 been substantially diminished in value; or (e) has been commingled
8 with other property that cannot be divided without difficulty.

9
10
11 A TRUE BILL

12
13 /S/
Foreperson

14
15 JOSEPH T. MCNALLY
Acting United States Attorney

16 LINDSEY GREER DOTSON
17 Assistant United States Attorney
Chief, Criminal Division

18 

19
20 FRANCES S. LEWIS
Assistant United States Attorney
21 Chief, General Crimes Section

22 BENEDETTO L. BALDING
Assistant United States Attorney
23 Deputy Chief, General Crimes
Section

24 ALEXANDRA SLOAN KELLY
25 Assistant United States Attorney
General Crimes Section